

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Western Division

U.S.A. vs. Levern E. Thomas

Docket No. 5:15-MJ-1435-1

Petition for Action on Probation

COMES NOW Eddie J. Smith, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment of, Levern E. Thomas, who, upon an earlier plea of guilty to 18 U.S.C. § 13, assimilating N.C.G.S. 20-138.1, Driving While Impaired (Level 3), was sentenced by the Honorable Kimberly A. Swank, U.S. Magistrate Judge on May 6, 2015, to 12 months probation under the conditions adopted by the court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant reported for his initial appointment with the probation officer on May 12, 2015, and signed an admission acknowledging his use of cocaine and Vicodin on or about May 8, 2015. In order to place the defendant in our Surprise Urinalysis Program, we are recommending that the conditions of supervision be modified to include drug aftercare. Additionally, the defendant reports a history of mental health problems and the probation officer feels he could benefit from counseling. The defendant has already been scheduled for a sex offender assessment as ordered by the court. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Robert K. Britt

Robert K. Britt

Senior U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Eddie J. Smith

Eddie J. Smith

U.S. Probation Officer

310 Dick Street

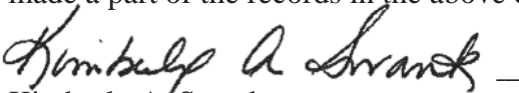
Fayetteville, NC 28301-5730

Phone: 910-354-2537

Executed On: May 15, 2015

ORDER OF THE COURT

Considered and ordered this 15th day of May, 2015 and ordered filed and made a part of the records in the above case.



Kimberly A. Swank

U.S. Magistrate Judge